

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
Plaintiff,	§	
	§	
v.	§	No. 6:18-cv-141
	§	
ROMARM SA/CUGIR WASR .762	§	
CALIBER RIFLE,	§	
SERIAL NUMBER 1985ZS5443,	§	
ET AL,	§	
Defendants.	§	

VERIFIED COMPLAINT FOR FORFEITURE IN REM

In accordance with Fed. R. Civ. P. Supplemental Rule G(2), the United States of America, Plaintiff, brings this complaint and alleges as follows:

Nature of the Action

1. This is an action to forfeit property to the United States for a violation of 18 U.S.C. § 922(g)(5).

Defendant In Rem

2. The following property is the subject of this action:

a. Romarm SA/Cugir .762 caliber rifle, serial number 1985ZS5443, seized from Rafael Padilla on June 27, 2012;

b. Smith & Wesson M&P 15 .223 caliber rifle, serial number 53570, seized from Rafael Padilla on June 27, 2012;

c. Romarm SA/Cugir WASR .762 caliber rifle serial number 1-40225-2003, seized from Rafael Padilla on June 27, 2012;

d. Century Arms International M70AB2 .762 caliber rifle, serial number AB208028, seized from Rafael Padilla on June 27, 2012;

e. Century Arms International M70AB2T .762 caliber rifle, serial number AB2T-N102257, seized from Rafael Padilla on June 27, 2012;

f. FEG SA2000M .762 caliber rifle, serial number EF7551H, seized from Rafael Padilla on June 27, 2012;

g. DPMS Inc. A15 .223 caliber rifle, seized from Rafael Padilla on June 27, 2012;

h. Norinco MAK90 Sporter .762 caliber rifle, serial number 9395752, seized from Rafael Padilla on June 27, 2012;

i. Romarm SA/Cugir WASR-3 .223 caliber rifle, serial number 3-10186-05, seized from Rafael Padilla on June 27, 2012;

j. Colt Match Target .223 caliber rifle, serial number CSL006284, seized from Rafael Padilla on June 27, 2012;

k. Romarm SA/Cugir WASR .762 caliber rifle, serial number CSL006284, seized from Rafael Padilla on June 27, 2012;

1. Century Arms International AKMS .762 rifle, serial number KMS08325, seized from Rafael Padilla on June 27, 2012 (collectively, hereinafter, “Defendant Property”).

Jurisdiction and Venue

3. The Court has subject matter jurisdiction over an action commenced by the United States pursuant to 28 U.S.C. § 1345, and over an action for forfeiture pursuant to 28 U.S.C. § 1355(a).

4. The Court has *in rem* jurisdiction over the Defendant Property pursuant to 28 U.S.C. § 1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district.

5. Venue is proper in this district pursuant to 28 U.S.C. §1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in this district.

Basis for Forfeiture

6. The Defendant Property is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) because they are firearms involved in or used in violation of 18 U.S.C. § 922(g)(5).

Facts

7. The facts and circumstances supporting the forfeiture of the above-described property are contained in the Affidavit of Warren Keener, which is attached hereto and incorporated herein by reference.

Potential Claimants

8. The known potential claimants to the Defendant Property are:
 - a. Rafael Padilla – 306 Melinda Ln., Tyler, Texas 75702,
 - b. Hector Martinez-Uribe – 1351 CR333, Tyler, Texas 75708, and
 - c. Maria A Prado – 3324 Topeka Avenue, Dallas, Texas 75212; and 11975

State Highway 64 East, Tyler, Texas 75707.

Claim for Relief

9. The United States respectfully requests that the Court forfeit the Defendant Property to the United States, award costs and disbursements in this action to the United States, and order any other relief that the Court deems appropriate.

Respectfully submitted,

JOSEPH D. BROWN
UNITED STATES ATTORNEY

/s/ Lucas Machicek
Lucas Machicek
Assistant United States Attorney
Texas Bar No. 24064230
110 N. College Ave., Suite 700
Tyler, Texas 75702
Tel: (903) 590-1400
E-mail: lucas.machicek@usdoj.gov

VERIFICATION PURSUANT TO 28 U.S.C. § 1746

I, Warren Keener, hereby state that:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives.
2. I have read this Complaint, and the information contained herein is true and correct to the best of my knowledge.
3. The information contained in this Complaint comes from the official files and records of the United States, statements from other law enforcement officers, and my investigation of this case.

I state and verify under penalty of perjury that the foregoing is true and correct.



Warren Keener
Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

Dated:

EASTERN DISTRICT OF TEXAS

AFFIDAVIT IN SUPPORT OF COMPLAINT FOR FORFEITURE

1. I, Warren Keener, being duly sworn, depose and state that I am a special agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (hereinafter, "ATF") and have been so employed in this capacity since January 2001. My duties as a special agent with ATF includes the investigation of possible criminal violations to include Firearms and Firearm transportation offenses. I have personally conducted and assisted in numerous investigations of crimes and illicit activities that generate income for criminals. Many of these investigations have focused on individuals who derive their income from illegal sources. I have experience in gathering evidence to obtain seizure warrants; and interviewing defendants, witnesses, informants, and others who have personal knowledge of the amassing, spending, converting, transporting, distributing, laundering, and concealing of the proceeds derived from illegal activities. I also have experience regarding the forfeiture of assets involved in or traceable to Firearm crimes. I have personally participated in the investigation described in detail below, and I am familiar with the facts and circumstances through my personal participation, from discussions with other agents and law enforcement officers, and from reviewing records and reports relating to the investigation.

PROPERTY FOR FORFEITURE

2. This affidavit is furnished to support an *in rem* forfeiture action brought against the following defendant property that is forfeitable in the Eastern District of

Texas:

Affidavit in Support of Forfeiture Complaint

1 of 5

a. Romarm SA/Cugir .762 caliber rifle, serial number 1985ZS5443, seized from Rafael Padilla-Carbal on June 27, 2012;

b. Smith & Wesson M&P 15 .223 caliber rifle, serial number 53570, seized from Rafael Padilla-Carbal on June 27, 2012;

c. Romarm SA/Cugir WASR .762 caliber rifle serial number 1-40225-2003, seized from Rafael Padilla-Carbal on June 27, 2012;

d. Century Arms International M70AB2 .762 caliber rifle, serial number AB208028, seized from Rafael Padilla-Carbal on June 27, 2012;

e. Century Arms International M70AB2T .762 caliber rifle, serial number AB2T-N102257, seized from Rafael Padilla-Carbal on June 27, 2012;

f. FEG SA2000M .762 caliber rifle, serial number EF7551H, seized from Rafael Padilla-Carbal on June 27, 2012;

g. DPMS Inc. A15 .223 caliber rifle, seized from Rafael Padilla-Carbal on June 27, 2012;

h. Norinco MAK90 Sporter .762 caliber rifle, serial number 9395752, seized from Rafael Padilla-Carbal on June 27, 2012;

i. Romarm SA/Cugir WASR-3 .223 caliber rifle, serial number 3-10186-05, seized from Rafael Padilla-Carbal on June 27, 2012;

j. Colt Match Target .223 caliber rifle, serial number CSL006284, seized from Rafael Padilla-Carbal on June 27, 2012;

k. Romarm SA/Cugir WASR .762 caliber rifle no serial number, seized from Rafael Padilla on June 27, 2012; and

1. Century Arms International AKMS .762 rifle, serial number KMS08325, seized from Rafael Padilla-Carbal on June 27, 2012 (collectively, hereinafter, “Defendant Property”).

3. The Defendant Property is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) because they are firearms involved in or used in violation of 18 U.S.C. § 922(g)(5).

FACTS SUPPORTING FORFEITURE

4. This investigation relates to violations of federal laws by Raphael Padilla-Carbal (hereinafter, “Carbal”) and other individuals, who, during the approximate time period of December 2011 through June 2012, illegally possessed, purchased and/or conspired to illegally possess/purchase firearms from federally licensed firearm dealers in the Eastern District of Texas. The purchase and possession of the firearms were part of a scheme to traffic firearms from the state of Texas to the country of Mexico in aid of a Mexican Drug Trafficking Organization.

5. On June 27, 2012, at Trooper Luis M. Guzman (hereinafter, “Trooper Guzman”) conducted a traffic stop of a white Buick SUV displaying Texas temporary plates on Interstate Highway 35 in Williamson County, Texas. The driver identified himself as Hector Martinez to Trooper Guzman and the passenger as Raphael Padilla-Carbal. Neither individual had a driver’s license.

6. Both indicated they were traveling from Tyler, Texas, to Austin, Texas. Both individuals were nervous and gave Trooper Guzman conflicting stories. Carbal

told Trooper Guzman the vehicle was his wife's and that the vehicle was in Carbal's custody. Carbal gave Trooper Guzman permission to search the vehicle. Trooper Guzman located the above-described Defendant Property in the trunk of the vehicle. Both individuals fled the scene but law enforcement later found and arrested Carbal.

7. Law enforcement interviewed Carbal after his arrest. Carbal stated the La Familia Drug Cartel has approximately five hundred-thousand pounds of marijuana transported from Michoacán, Mexico, to the United States through Eagle Pass, Texas, and that Hector Martinez recruited Carbal to transport marijuana from Austin, Texas, to Tyler, Texas. In addition, Carbal stated was instructed to drive multiple firearms from Tyler, Texas, to the Austin, Texas, area for transport to Mexico, but was arrested before he could finish the trip. Tyler, Texas, is within the Eastern District of Texas. Carbal stated he is aware of another individuals operating in the East Texas area and some of the individuals purchased firearms from Academy Sports and other gun stores, but most of the individuals purchased firearms.

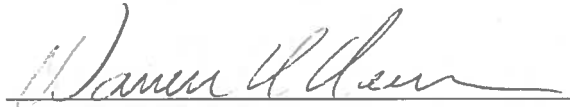
8. Carbal was an illegal alien at the time of his arrest.

9. A grand jury returned an indictment against Carbal for a violation of 18 U.S.C. § 922(g)(5) on June 26, 2013.

10. Carbal was a fugitive from justice at the time the government filed a motion to dismiss the indictment without prejudice on May 17, 2016.

11. All firearms contained in the Defendant Property were determined to have affected interstate and/or foreign commerce by an Interstate Nexus Expert.

12. Based on the facts and circumstances described above, I believe the Defendant Property is subject to forfeiture pursuant to 18 U.S.C. § 924(d)(1) because they are firearms involved in or used in violation of 18 U.S.C. § 922(g)(5).

A handwritten signature in cursive script, appearing to read "Warren Keener", is written over a horizontal line.

WARREN KEENER

Special Agent

Bureau of Alcohol, Tobacco, Firearms and Explosives

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FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
Plaintiff,	§	
	§	
v.	§	NO: 6:18-cv- 141
	§	
ROMARM SA/CUGIR WASR .762	§	
CALIBER RIFLE	§	
SERIAL NUMBER 1985ZS5443,	§	
ET AL,	§	
Defendants.	§	

ORDER FOR WARRANT OF ARREST IN REM

TO: The Clerk of the Court, United States District Court for the Eastern District of Texas

WHEREAS, on March 26, 2018, the United States of America filed a verified complaint for civil forfeiture in the United States District Court for the Eastern District of Texas against the defendant property, alleging that the property is subject to seizure and civil forfeiture to the United States for the reasons alleged in the complaint; and

WHEREAS, the Court, having reviewed the Complaint and the Government's Application for Warrant of Arrest in Rem, finds, the defendant property is currently in the possession, custody, or control of the United States; and

WHEREAS, Supplemental Rule G(3)(b)(i) provides that the clerk must issue a warrant to arrest the property if it is in the government's possession, custody, or control;

YOU ARE, THEREFORE, HEREBY COMMANDED to issue an arrest warrant in rem for the defendant property pursuant to Supplemental Rule G(3)(b)(i); and

YOU ARE FURTHER COMMANDED to deliver the arrest warrant in rem to a person or organization authorized to execute it who may be a marshal or any other United States officer or employee, someone under contract with the United States, or someone specially appointed by the Court for that purpose, pursuant to Supplemental Rule G(3)(c)(i).

IT IS SO ORDERED,

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
Plaintiff,	§	
	§	
v.	§	NO: 6:18-cv-141
	§	
ROMARM SA/CUGIR WASR .762	§	
CALIBER RIFLE	§	
SERIAL NUMBER 1985ZS5443,	§	
ET AL,	§	
Defendants.	§	

APPLICATION FOR WARRANT OF ARREST IN REM

The United States of America, by its undersigned counsel, respectfully requests that the Clerk of this Court issue the attached warrant of arrest in rem pursuant to Rule G(3)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. In support of its application, the United States shows as follows:

1. On March 26, 2018, the United States filed a complaint for civil forfeiture in rem in the above-referenced case seeking forfeiture of the following defendant property:

a. Romarm SA/Cugir .762 caliber rifle, serial number 1985ZS5443, seized from Rafael Padilla on June 27, 2012;

b. Smith & Wesson M&P 15 .223 caliber rifle, serial number 53570, seized from Rafael Padilla on June 27, 2012;

c. Romarm SA/Cugir WASR .762 caliber rifle serial number 1-40225-2003, seized from Rafael Padilla on June 27, 2012;

d. Century Arms International M70AB2 .762 caliber rifle, serial number AB208028, seized from Rafael Padilla on June 27, 2012;

e. Century Arms International M70AB2T .762 caliber rifle, serial number AB2T-N102257, seized from Rafael Padilla on June 27, 2012;

f. FEG SA2000M .762 caliber rifle, serial number EF7551H, seized from Rafael Padilla on June 27, 2012;

g. DPMS Inc. A15 .223 caliber rifle, seized from Rafael Padilla on June 27, 2012;

h. Norinco MAK90 Sporter .762 caliber rifle, serial number 9395752, seized from Rafael Padilla on June 27, 2012;

i. Romarm SA/Cugir WASR-3 .223 caliber rifle, serial number 3-10186-05, seized from Rafael Padilla on June 27, 2012;

j. Colt Match Target .223 caliber rifle, serial number CSL006284, seized from Rafael Padilla on June 27, 2012;

k. Romarm SA/Cugir WASR .762 caliber rifle, serial number CSL006284, seized from Rafael Padilla on June 27, 2012;

l. Century Arms International AKMS .762 rifle, serial number KMS08325, seized from Rafael Padilla on June 27, 2012

(collectively, defendant property)

2. The defendant property is in the possession, custody, and control of the United States, to wit: Bureau of Alcohol, Tobacco, Firearms and Explosives, which obtained custody on June 27, 2012, after executing a search and seizure warrant.

3. Supplemental Rule G(3)(b)(i) provides that if property is subject to forfeiture in a civil forfeiture case, and the property is in the Government's possession, custody, or control, the clerk "must issue a warrant to arrest the property."

Accordingly, the United States respectfully requests that the Clerk of the Court issue the attached warrant of arrest in rem.

Respectfully submitted,

JOSEPH D. BROWN
UNITED STATES ATTORNEY

/s/ Lucas Machicek
Lucas Machicek
Assistant United States Attorney
Texas Bar No. 24064230
110 N. College Ave., Suite 700
Tyler, Texas 75702
Tel: (903) 590-1400
E-mail: lucas.machicek@usdoj.gov

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
Plaintiff,	§	
	§	
v.	§	NO: 6:18-cv-141
	§	
ROMARM SA/CUGIR WASR .762	§	
CALIBER RIFLE	§	
SERIAL NUMBER 1985ZS5443,	§	
ET AL,	§	
Defendants.	§	

WARRANT OF ARREST IN REM

TO: The Bureau of Alcohol, Tobacco, Firearms and Explosives for the Eastern District of Texas and/or any other United States officer or employee, someone under contract with the United States, or someone specially appointed by the court.

On March 26, 2018, the United States filed a verified complaint for civil forfeiture in the United States District Court for the Eastern District of Texas against the following defendant property:

- a. Romarm SA/Cugir .762 caliber rifle, serial number 1985ZS5443, seized from Rafael Padilla on June 27, 2012;
- b. Smith & Wesson M&P 15 .223 caliber rifle, serial number 53570, seized from Rafael Padilla on June 27, 2012;
- c. Romarm SA/Cugir WASR .762 caliber rifle serial number 1-40225-2003, seized from Rafael Padilla on June 27, 2012;
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k. Romarm SA/Cugir WASR .762 caliber rifle, serial number CSL006284, seized from Rafael Padilla on June 27, 2012;

l. Century Arms International AKMS .762 rifle, serial number KMS08325, seized from Rafael Padilla on June 27, 2012
(collectively, defendant property)

alleging that the property is subject to seizure and forfeiture to the United States for the reasons alleged in the complaint.

The defendant property is currently in the possession, custody, or control of the United States.

In these circumstances, Supplemental Rule G(3)(b)(i) directs the Clerk of the Court to issue an arrest warrant in rem for the defendant property.

Supplemental Rule G(3)(c)(i) provides that the warrant of arrest in rem must be delivered to a person or organization authorized to execute it who may be a marshal or any other United States officer or employee, someone under contract with the United States, or someone specially appointed by the court for that purpose.

YOU ARE COMMANDED to do the following:

1. To arrest the defendant property as soon as practicable [see Rule G(3)(c)(ii) for exceptions for serving as soon as practicable] by serving a copy of this warrant on the custodian in whose possession, custody or control the property is presently found, and to use whatever means may be appropriate to protect and maintain it in your custody until further order of this Court.

2. Promptly after execution of this process, to file the same in this Court with your return thereon, identifying the individual(s) upon whom copies were served and the manner employed.

Dated:

DAVID O'TOOLE
Clerk of the Court
United States District Court for the
Eastern District of Texas

By: _____
Deputy Clerk

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Lucas Machicek, USAO, 110 N. College Ave., Suite 700, Tyler,
Texas 75702, Tel: (903) 590-1400**DEFENDANTS**

Romarm SA/Cigir WASR .762 Caliber Rifle, SN:1985ZS5443, et al

County of Residence of First Listed Defendant Smith
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|--|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated <i>or</i> Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated <i>and</i> Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input checked="" type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify) _____
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

This is an in rem civil forfeiture proceeding pursuant to 18 USC 924

Brief description of cause:

VII. REQUESTED IN COMPLAINT:☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE 03/26/2018 SIGNATURE OF ATTORNEY OF RECORD

/s/ Lucas Machicek

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____